

## REMARKS

The Notice states that each claim has not been provided with the proper status identifier, and as such, the individual status of each claim cannot be identified. The non-compliance was apparently the use of the term "newly presented" instead of "new" to identify the new claims, and the lack of the word "Claim" before each claim number. That word has been added before each claim number, the canceled claims have now been identified as "**canceled**" and the new claims have been identified as "**new**". Applicants respectfully submit that the individual status of each claim has been identified in accordance with Flyer 06/30/03 "Revised Amendment Practice."

This application was filed with 35 claims and 12 independent claims, for which the application fees have been paid. The original 35 claims have been canceled and 23 claims have been added, of which 9 are independent. Accordingly, no additional claims fees are needed. Nevertheless, Examiner is authorized to charge any deficiencies in fees and credit any overpayment to OSI Pharmaceuticals, Inc. Deposit Account No. **502783**.

Attorney for Applicants can be reached at the telephone number and address below.

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date appearing below.

**OSI PHARMACEUTICALS, Inc.**

By Shu M. Lee Date 08 Sept 2004

September 7, 2004  
OSI Pharmaceuticals, Inc.  
58 South Service Road, Suite 110  
Melville, NY 11747

Respectfully submitted,



Shu M. Lee  
Attorney for Applicants  
Registration No. 41,147  
Telephone No. (631) 962-2056  
or (516) 924-4035  
Fax No. (631) 752-3880